

# Exhibit A

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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IN RE: VALSARTAN, LOSARTAN, AND : MDL NO. 2875  
IRBESARTAN PRODUCTS LIABILITY :  
LITIGATION, :  
:  
THIS DOCUMENT RELATES TO :  
ALL ACTIONS :  
- - - - - x

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Veritext Virtual Zoom Videotaped  
deposition of RENA M. CONTI, Ph.D., taken on  
Thursday, February 10, 2022, in Glenside,  
Pennsylvania, commencing at 10:17 a.m. Eastern  
Standard Time, before Jamie I. Moskowitz, a  
Certified Court Reporter and Certified Livenote  
Reporter.

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1 her to answer.

2 THE WITNESS: So I have been aware of  
3 this opinion for a while, and the opinion was  
4 provided to me by counsel.

5 BY MR. GOLDBERG:

6 Q When was that?

7 A When did they -- when did I receive  
8 this via text on my phone?

9 Q Yes.

10 A Five minutes ago. But I have been  
11 aware of this before then.

12 Q So counsel texted you five minutes ago  
13 with the judge's opinion that you just read into the  
14 record?

15 MR. HONIK: Without waiving -- excuse  
16 me, without waiving the objection and  
17 privilege, I'll permit her to answer.

18 THE WITNESS: Yes. It was just texted  
19 to me. But again, I have been aware of this  
20 opinion for a while.

21 BY MR. GOLDBERG:

22 Q And which counsel texted that to you?

23 MR. HONIK: Without waiving the  
24 objection, I'll permit her to answer.

25 THE WITNESS: John Davis.

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1 BY MR. GOLDBERG:

2 Q And did John -- so we talked about the  
3 therapeutic benefits that may have -- that -- that  
4 consumers who took the at-issue valsartan products  
5 may have experienced. You don't dispute that  
6 consumers who took valsartan at-issue products may  
7 have experienced therapeutic benefits?

8 MR. HONIK: Object to the form, asked  
9 and answered, beyond the scope.

10 You may answer.

11 THE WITNESS: Again, the demand curve  
12 for these products may exist. From an economic  
13 theory perspective, the demand curve represents  
14 individual assessments of benefits and costs of  
15 prescription drugs. I am not disputing that  
16 there may have been a demand curve for these  
17 products. That is not my opinion.

18 My opinion is related to the supply  
19 curve. In other words, that products that do  
20 not meet the evidentiary standard are not  
21 allowed into the U.S. products of trade, they  
22 are not viewed as being legitimate products.  
23 From my perspective, those products are  
24 worthless.

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1 BY MR. GOLDBERG:

2 Q Your methodology does not take into  
3 consideration how consumers might have perceived the  
4 value of the at-issue valsartan to them, correct?

5 MR. HONIK: Object to the form.

6 THE WITNESS: My analysis presumes  
7 there is a demand curve for these products.  
8 What my analysis also presumes is that there is  
9 no legitimate supply curve for products that do  
10 not meet the evidentiary standard of the U.S.

11 BY MR. GOLDBERG:

12 Q What your analysis does not take into  
13 consideration is whether any consumer perceived that  
14 they received a therapeutic benefit that provided a  
15 value to them, right?

16 MR. HONIK: Object to the form, asked  
17 and answered.

18 You may answer.

19 THE WITNESS: Again, of course, it  
20 does. There is a demand curve for these  
21 products. That is not -- that is not the issue  
22 in this case. Of course, there's a demand  
23 curve, and I -- I describe it in my report.  
24 What my report is trying to explain is that  
25 there is no legitimate supply curve for

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1 products that do not meet the evidentiary  
2 standard of the U.S. government.

3 I was asked to assume that  
4 products -- that these products at issue  
5 between 2012 and 2018 did not meet the  
6 evidentiary standard. They were adulterated  
7 and misbranded. Therefore, there was no supply  
8 curve, in my analysis.

9 BY MR. GOLDBERG:

10 Q Are you familiar with what the FDA  
11 advised patients to do when the recalls were  
12 announced?

13 MR. HONIK: Object to the form,  
14 outside the scope.

15 THE WITNESS: Specifically, what do  
16 you mean?

17 BY MR. GOLDBERG:

18 Q Are you aware that the FDA advised  
19 people that they should not discontinue their use of  
20 valsartan until they spoke with their doctor about  
21 it?

22 MR. HONIK: Object to the form, asked  
23 and answered, outside the scope.

24 THE WITNESS: Again, my understanding  
25 is that there were multiple FDA communications